

COHEN & GREEN

October 9, 2024

BY ECF

Hon. Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Rousz DeLuca v. City of New York, 23-cv-9726 (CM)

Your Honor:

This firm along with co-counsel represents the Plaintiff. On September 10th, Defendants served a Rule 68 Offer of Judgment, attached as Exhibit 1. On September 24th the Court issued an Order granting Plaintiff's request for an extension of time to respond to the Rule 68 up to and including October 8, 2024. On October 8th, Plaintiff accepted the Rule 68 by notifying defense counsel in writing as specified in the Rule 68. *See* Ex. 2, Declaration of Service. Plaintiff respectfully requests that the Court endorse the attached proposed judgment attached as Exhibit 3.

Plaintiff also respectfully requests that the Court issue an Order extending Plaintiff's counsels' time to make an application for attorney's fees from 14 days to 60 days after the Court's endorsement of the attached judgment to allow the parties time to resolve the issue of fees without motion practice. Defendants consent to this request.

We thank the Court for its time and consideration.

Respectfully submitted,

/s/

Jessica Massimi

Pronouns: She/Her

COHEN & GREEN P.L.L.C.

Attorneys for Plaintiff

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cc:

All relevant parties by ECF.